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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/049,161 03/26/98 CHISHOLM

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EXAMINER

HERNANDEZ, O

ART UNIT

PAPER NUMBER

3661

DATE MAILED:

08/01/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p>09/049,161</p>	<p><b>Applicant(s)</b></p> <p>CHISHOLM ET AL.</p>	
	<p><b>Examiner</b></p> <p>Olga Hernandez</p>	<p><b>Art Unit</b></p> <p>3661</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 March 1998.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-14 is/are rejected.
- 7) ☒ Claim(s) 15-20 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- |  |  |
|--|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                     | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 16) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____    | 20) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Drawings***

1. Figures 1, 3a, 3b and 4a-4d should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

***Specification***

2. The disclosure is objected to because of the following informalities:
  - a) Applicant does not identify in the first line of the specification that this a divisional application of US patent application no. 08/676,719.Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 11, 12 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Morimoto et al, US Patent No. 5,821,880.

As per claim 11, Morimoto et al discloses the same invention claimed by the applicant. Morimoto et al teaches a GPS receiver (figure 1) and how to display the guidance and orientation information and the desired position of the structure/vehicle

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(column 7 and figures 2-4, 10, 17-19, 21, 25-27). Although Morimoto et al does not disclose a system bus, it is inherent that it exists. Otherwise the GPS system would not operate.

As per claim 12, it is inherent that the communication system is coupled to a GPS receiver and to a system bus, it can not work. Further, whether the communication system does not provide a link between a GPS receiver and a microprocessor, it can not work, either.

5. Claims 11, 12 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al, US Patent No. 5,729,217.

As per claim 11, Ito et al discloses the same invention claimed by the applicant. Ito et al teaches a GPS receiver (figure 1) and how to display the guidance (column 18) and orientation information and the desired position of the structure/vehicle (column 7 and figures 2-4, 10, 17-19, 21, 25-27). Although Ito et al does not disclose a system bus, it is inherent that it exists. Otherwise the GPS system would not operate.

As per claim 12, it is inherent that the communication system is coupled to a GPS receiver and to a system bus, it can not work. Further, whether the communication system does not provide a link between a GPS receiver and a microprocessor, it can not work, either.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto et al, US Patent No. 5,821,880.

As per claim 13, the use of a two-way communication system is old and well known in the art.

As per claim 14, the use of an optical communication system is old and well known in the art.

8. Claims 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Ito et al, US Patent No. 5,729,217.

As per claim 13, the use of a two-way communication system is old and well known in the art.

As per claim 14, the use of an optical communication system is old and well known in the art.

***Allowable Subject Matter***

9. Claims 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Engelmayer et al, US Patent No. 6,018,313 discloses a system for determining the location of a mobile object.
- Evan et al, US Patent No. 6,081,231 discloses a manufacturing installation and processing operations.
- Small et al, US Patent No. 5,862,495 discloses a real position correction to ground generated spacecraft ephemeris.
- Hertel, US Patent No. 5,751,246 discloses an accountability and theft protection via the global positioning system.
- Barzegar et al, US Patent No. 5,559,520 discloses a wireless information system for acquiring location related information.
- Ito et al, US Patent No. 5,944,768 discloses a navigation system.
- Matsuoka et al, US Patent No. 6,018,696 discloses a learning type position-determining device.
- Barzegar et al, US Patent No. 5,559,520 discloses a wireless information system for acquiring location related information.
- Hertel, US Patent No. 5,751,246 discloses a accountability and theft protection via the global positioning system.
- Small et al, US Patent No. 5,862,495 discloses a real time position correction to ground generated spacecraft ephemeris.

- Evans et al, US Patent No. 6,081,231 discloses a manufacturing installation and processing operations.
- Engelmayer et al, US Patent No. 6,018,313 discloses a system for determining the location of mobile objects.
- Katou, US Patent No. 6,006,161 discloses a land vehicle navigation system with multi-screen mode selectivity.
- Wood, US Patent No. 6,021,374 discloses a stand-alone terrain conflict detector and operating methods therefor.
- Watanabe, US Patent No. 6,076,041 discloses a land vehicle navigation apparatus with guidance display image limiter for recognizability enhancement.
- Kishigami et al, US Patent No. 5,908,464 discloses a traffic information device method of displaying traffic information and medium on which display control program for use in traffic information display device is recorded.
- Chisholm et al, US Patent No. 5,883,817 discloses a method and apparatus for precise positioning of large structures.
- Clark, Jr. et al, US Patent No. 5,699,244 discloses a hand-held GUI PDA with GPS/DGPS receiver for collecting ergonomic and GPS position data.
- Rao et al, US Patent No. 5,684,696 discloses a system and method for enabling an autonomous vehicle to track a desired path.
- Suman et al, US Patent No. 6,028,537 discloses a vehicle communication and remote control system.

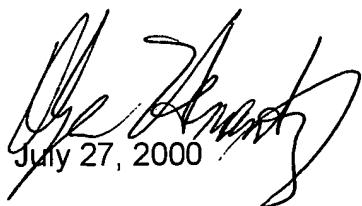
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- Shin et al, US Patent No. 5,657,226 discloses a system and method for causing an autonomous vehicle to track a path.
- Gudat et al, US Patent No. 5,956,250 discloses an apparatus and method for autonomous vehicle navigation using absolute data.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (703) 305-0918. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3597 for regular communications and (703) 305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
July 27, 2000

Olga Hernandez  
Examiner  
Art Unit 3661

  
WILLIAM A. CUCHLINSKI, JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600